Artificial intelligence meets Automotive Drafting successful bridging-technology applications

Hints and tips!

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WHERE: EPO’s CII practice: Worldwide benchmark

Guidelines for Examination in the European Patent Office

Index for Computer-Implemented Inventions

A computer-implemented invention (CII) is one which involves the use of a computer, computer network or other programmable apparatus, where one or more features are realised wholly or partly by means of a computer program.

The following collection of hyperlinks is provided in order to facilitate access to the sections of the Guidelines for Examination in the EPO which give instructions particularly useful for the search and examination of CIs.
Legal framework – EPC

Article 52(2) EPC

The following shall in particular \textbf{not be regarded as inventions} within the meaning of paragraph 1:

(a) discoveries, scientific theories and \textbf{mathematical methods};
(b) aesthetic creations;
(c) schemes, \textbf{rules and methods for performing mental acts, playing games or doing business, and programs for computers};
(d) presentations of information.
EPO’s CII practice: Two consecutive legal requirements

- **Mixed Type Invention**
  - **Guidelines**
  - **Technicallity**
  - **Guidelines**
  - **Novelty, Inventive step**
    - Art. 54, 56
  - **Exclusions** Art. 52

- **Not an “Invention”**

- **Patentable**
  - **Lack of novelty**
  - **Lack of inventive step**

- **Art. 52**

- **Guidelines**

- **Art. 54, 56**

- **Inventive step**
EPO’s CII practice: Two consecutive legal requirements

- First legal requirement that is relatively easy to fulfil
  - Is there an invention within the meaning of Art. 52(1)?
  - Legal test: Does the claimed subject-matter have technical character?

- Second legal requirement that is more difficult to fulfil
  - Is the claimed subject matter novel in the sense of Art. 54 EPC and does it involve an inventive step in the sense of Art. 56 EPC?
  - Legal test: Problem-Solution-Approach
Drafting exercise:

- Traveling direction of vehicle
- Direction of vehicle body
- Vehicle body centroid
- Slip angle $\beta$

Sensors:
- Longitudinal acceleration sensor
- Lateral acceleration sensor
- Steering wheel angle sensor
- Vehicle velocity sensor
- Yaw angular velocity sensor
Measure $\beta$ using an artificial neural network
To get it granted at the EPO, what would you need to find

- in the description
- in the independent claim(s)

- to answer the questions raised by the examiner:
  - Is this an "invention" (any hardware)?
  - Which problem is solved?
  - Is it technical?
  - Is the solution disclosed?
  - obvious?
Avoid the unsolvable triangle of objections:

- Art.84 / 83 EPC
- Art.56 EPC
- Art.123(2) EPC